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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JOHN CARELLO,	:	
	:	07 Civ. 2914 (CLB)(MDF)
Plaintiff,	:	
	:	
-against-	:	NOTICE OF MOTION FOR
	:	SUMMARY JUDGMENT
THE CITY OF NEW ROCHELLE, THE NEW ROCHELLE	:	
POLICE DEPARTMENT, P.O. GEORGE ROSENBERGEN,	:	
AND P.O. JOHN/JANE DOES,	:	
	:	
Defendants.	:	
-----		X

TO:

McKENNA McGOWAN LLP
Attorneys for Plaintiff
111 Church Street
White Plains, NY 10601
(914) 686-0500
Attn: Matthew J. McGowan (MM-9198)

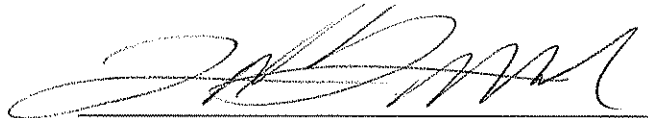
PLEASE TAKE NOTICE that upon the annexed statement of undisputed facts submitted pursuant to Local Rule 56.1, dated November 14, 2007; the annexed declaration of Lalit K. Loomba, Esq., dated November 14, 2007 and the exhibits annexed thereto; the accompanying memorandum of law dated November 15, 2007; and all the prior proceedings herein, defendants the City of New Rochelle (s/h/a "The City of New Rochelle" and "The New Rochelle Police Department") and Lieutenant George Rosenbergen (s/h/a "P.O. George Rosenbergen"), by their

undersigned attorneys, will move this Court, before the Hon. Charles L. Brieant, on January 11, 2008, a motion date published in the New York Law Journal, at 10:00 a.m., or as soon thereafter as counsel may be heard, for an Order, pursuant to Rule 56 of the Federal Rules of Civil Procedure, dismissing the complaint with prejudice on grounds of qualified immunity, and for such other, different and further relief as the Court in its discretion may deem just and proper.

PLEASE TAKE FURTHER NOTICE that this motion is made pursuant to the procedure set forth in paragraph 3(d) of the Civil Case Discovery Plan and Scheduling Order, entered on July 20, 2007.

Dated: White Plains, New York
November 14, 2007

WILSON, ELSER, MOSKOWITZ,
EDELMAN & DICKER LLP
Attorneys for the Defendants

A handwritten signature in black ink, appearing to read 'Lalit K. Loomba', is written over a horizontal line.

By: Lalit K. Loomba (LL-9755)

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